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mined by agencies of the Joint Chiefs of Staff, including the JIOA; and that might be noted in our communications to the consuls.

3. In this respect, it should be pointed out to you that the Department might find the presumption rebutted where the State Department member of JIOA was overruled by a majority of the other members or by the Joint Intelligence Committee, or by the Joint Chiefs. Any other construction would stultify us.

4. The suggestion in paragraph three of the Visa Division memorandum, if I understand it, means that we propose to concentrate in the contiguous territory--i.e. the consulate in Montreal--the issuance of visas to all German scientists however brought in. This would mean that visa issuance will never be in Germany. I do not think that anything need be said. This is the matter of procedure which should be worked out within the Department and does not need to be incorporated in the paper or in any comments.

Recommendations

1. Concur in the pre-examination provision. State, however, that this relates to the Department of Justice.

2. Concur in the language as to presumption, construing it, however, to mean that if the Department agrees, through its representatives on the JIOA, in the finding transmitted by the Joint Chiefs of Staff, the Department will convey that recommendation to the appropriate consul who, however, is under the law free to accept or reject the recommendation.

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